

Case 0:05-md-01708-DWF-AJB Document 7 Filed 01/03/2006 Page 1 of 5  
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DEC 28 2005

ATTEST *Donovan W. Frank*  
FOR THE JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

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JAN 03 2006

CLERK US DIST COURT  
MINNEAPOLIS MN

DOCKET NO. 1708

JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

DEC 12 2005

FILED  
CLERK'S OFFICE  
W. DIST. OF N. C.

JAN 10 2006

U.S. DISTRICT COURT  
W. DIST. OF N. C.

**BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION**  
**IN RE GUIDANT CORP. IMPLANTABLE DEFIBRILLATORS PRODUCTS LIABILITY**  
**LITIGATION**

1:05 cv 275

(SEE ATTACHED SCHEDULE)

**CONDITIONAL TRANSFER ORDER (CTO-1)**

On November 7, 2005, the Panel transferred four civil actions to the United States District Court for the District of Minnesota for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. With the consent of that court, all such actions have been assigned to the Honorable Donovan W. Frank.

It appears that the actions on this conditional transfer order involve questions of fact which are common to the actions previously transferred to the District of Minnesota and assigned to Judge Frank.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the District of Minnesota for the reasons stated in the order of November 7, 2005, \_\_\_ F.Supp.2d \_\_\_ (J.P.M.L. 2005), and, with the consent of that court, assigned to the Honorable Donovan W. Frank.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the District of Minnesota. The transmittal of this order to said Clerk shall be stayed fifteen (15) days from the entry thereof and if any party files a notice of opposition with the Clerk of the Panel within this fifteen (15) day period, the stay will be continued until further order of the Panel.

FOR THE PANEL:

*Michael J. Beck*

Michael J. Beck  
Clerk of the Panel

Inasmuch as no objection is  
pending at this time, the  
stay is lifted.

DEC 28 2005

CLERK'S OFFICE  
JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

A true and correct copy in 4 sheet(s)

JAN 03 2006

U.S. District Court  
Minneapolis, MN

CERTIFIED JAN 03 2006

*Theresa E. Gentry*  
Deputy Clerk

SCANNED

JAN 3 2006

U.S. DISTRICT COURT MPLS

**SCHEDULE CTO-1 - TAG-ALONG ACTIONS**  
**DOCKET NO. 1708**  
**IN RE GUIDANT CORP. IMPLANTABLE DEFIBRILLATORS PRODUCTS LIABILITY**  
**LITIGATION**

DIST. DIV. C.A. #

CASE CAPTION

**CALIFORNIA CENTRAL**

CAC 2 05-8070

CAC 5 05-760

CAC 5 05-964

Theodore Cohen v. Guidant Corp.

Leonard Mayem v. Guidant Corp.

Sharon Williams-Datcher v. Guidant Corp., et al.

**CALIFORNIA EASTERN**

CAE 2 05-1317

CAE 2 05-2113

Fred Corfee v. Guidant Corp., et al.

James Bagwell, et al. v. Guidant Corp., et al.

**CALIFORNIA NORTHERN**

CAN 3 05-3042

CAN 3 05-3160

CAN 3 05-3279

Alphonzo Allen v. Guidant Corp.

Lorraine Furtado, et al. v. Guidant Corp., et al.

Sheila Ettinger v. Guidant Corp., et al.

**CALIFORNIA SOUTHERN**

CAS 3 05-1875

CAS 3 05-1956

CAS 3 05-1957

Johnnie Carter v. Guidant Corp.

Leopoldo Duron, Jr. v. Guidant Corp., et al.

Annette Scott v. Guidant Corp., et al.

**COLORADO**

CO 1 05-1645

Oren Urich v. Guidant Corp., et al.

**CONNECTICUT**

CT 3 05-1516

Gary DeRose v. Guidant Corp.

**FLORIDA MIDDLE**

FLM 2 05-445

FLM 3 05-728

FLM 5 05-379

FLM 6 05-1683

FLM 8 05-1456

FLM 8 05-1606

Alfred Fuller v. Guidant Corp.

Robert Earl Smith, etc. v. Guidant Corp.

Richard James Rebone v. Guidant Corp., et al.

Steve Gaydos, et al. v. Guidant Corp., et al.

Robert Haberle v. Guidant Corp., et al.

Kenneth J. Pepper v. Guidant Corp., et al.

**FLORIDA NORTHERN**

FLN 3 05-309

Anthony Micelli v. Guidant Corp., et al.

**FLORIDA SOUTHERN**

FLS 9 05-80850

FLS 9 05-80851

FLS 9 05-80957

Judy Passante v. Guidant Corp., et al.

Eric Harkonen, et al. v. Guidant Corp., et al.

Paul Jones, et al. v. Guidant Corp., et al.

**HAWAII**

HI 1 05-326

Joseph Soon Kun Kang v. Cardiac Pacemakers, Inc.

**ILLINOIS NORTHERN**

ILN 1 05-4250

Theresa Shea, etc. v. Guidant Corp., et al.

## SCHEDULE CTO-1 TAG-ALONG ACTIONS (MDL-1708)

Page 2 of 3

DIST. DIV. C.A. #CASE CAPTION

## INDIANA SOUTHERN

INS 1 05-1082  
INS 1 05-1115  
INS 1 05-1322  
INS 1 05-1353

Lydia Pierce v. Guidant Corp., et al.  
Christofer Brewster v. Guidant Corp., et al.  
David Acthison v. Guidant Corp., et al.  
Fred Gower, et al. v. Guidant Corp., et al.

## LOUISIANA EASTERN

LAE 2 05-3709  
LAE 2 05-3737  
LAE 2 05-4016  
LAE 2 05-4017  
LAE 2 05-4044

John J. Legendre v. Guidant Corp.  
Redge Westcott, III v. Guidant Corp., et al.  
Thomas A. Gruber v. Guidant Corp., et al.  
Emmitt R. Messick v. Guidant Corp., et al.  
Kenneth R. Casanova v. Guidant Corp., et al.

## LOUISIANA MIDDLE

LAM 3 05-1015

Joseph Clyde Brown, Jr. v. Guidant Corp.

## LOUISIANA WESTERN

LAW 5 05-1512  
LAW 5 05-1882  
LAW 6 05-1351  
LAW 6 05-1352

Doris Tisdon, etc. v. Guidant Corp., et al.  
Patrick Pouncy, et al. v. Guidant Corp., et al.  
Joyce Broussard Valls, et al. v. Guidant Corp., et al.  
James W. Eskine v. Guidant Corp., et al.

## MAINE

ME 2 05-182

Cindy A. Lowry v. Guidant Corp.

## MISSOURI WESTERN

MOW 4 05-785  
MOW 4 05-786  
MOW 4 05-939  
MOW 4 05-1007

Floyd A. Newman, Jr., v. Guidant Corp., et al.  
Fred H. Simon v. Guidant Corp., et al.  
Christopher J. Cipolla v. Guidant Corp., et al.  
Jerome Terry, Jr. v. Guidant Corp., et al.

## MISSISSIPPI NORTHERN

MSN 2 05-149

Johnny R. Clark v. Guidant Corp., et al.

## NORTH CAROLINA MIDDLE

NCM 1 05-720

Fred M. Lyle, et al. v. Guidant Corp., et al.

  
NCW 3 05-355

Billy G. Strickland v. Guidant Corp., et al.

## NEW HAMPSHIRE

NH 1 05-400

Richard Harvey v. Guidant Corp., et al.

## NEW JERSEY

NJ 1 05-4062  
NJ 2 05-4195  
NJ 2 05-4305

Wolf Schulsinger v. Guidant Corp., et al.  
Bernard Golden v. Guidant Corp., et al.  
Herb Cohen, et al. v. Guidant Corp., et al.

## NEW YORK EASTERN

NYE 1 05-2331  
NYE 1 05-3397  
NYE 2 05-3856  
~~NYE 2 05-4927~~

Richard Torre, et al. v. Guidant Corp.  
Howard Walston, et al. v. Guidant Corp., et al.  
Melissa J. Poje v. Guidant Corp., et al.  
~~John Clarke v. Intermedics, Inc., et al. Opposed 12/27/05~~

## SCHEDULE CTO-1 TAG-ALONG ACTIONS (MDL-1708)

Page 3 of 3

DIST. DIV. C.A. #CASE CAPTION

## NEW YORK NORTHERN

NYN 5 05-1213

Phillip Hobb, et al. v. Guidant Corp., et al.

## NEW YORK SOUTHERN

NYS 1 05-7176

Michael Thorpe, et al. v. Guidant Corp., et al.

NYS 1 05-8296

Nicholas T. Ortiz, et al. v. Guidant Corp., et al.

NYS 1 05-8298

John Fanzini, et al. v. Guidant Corp., et al.

NYS 1 05-8811

Stacey Webb, et al. v. Guidant Corp., et al.

NYS 1 05-8812

Douglas Marozin v. Guidant Corp., et al.

NYS 7 05-8297

Ellen Markert v. Guidant Corp., et al.

## OHIO NORTHERN

OHN 1 05-1880

Johnny T. Watts, et al. v. Guidant Corp.

OHN 1 05-1898

Fred J. Stauder, et al. v. Guidant Corp., et al.

OHN 1 05-2297

Johnny W. Western, et al. v. Guidant Corp., et al.

OHN 3 05-7440

Clara Zink, et al. v. Guidant Corp., et al.

## OHIO SOUTHERN

OHS 2 05-703

Beverly Douglas, et al. v. Guidant Corp., et al.

OHS 2 05-763

Thomas W. Zurek, et al. v. Guidant Corp., et al.

## OKLAHOMA NORTHERN

OKN 4 05-444

Jean Burke, etc. v. Guidant Corp.

## PENNSYLVANIA EASTERN

PAE 2 05-3580

Steven Perusich v. Guidant Corp., et al.

PAE 2 05-4409

William Jackson, et al. v. Guidant Corp., et al.

PAE 2 05-5843

Geoffrey Bowman, et al. v. Guidant Corp., et al.

## PUERTO RICO

PR 3 05-1888

Carlos L. Ramirez-Santiago v. Guidant Corp., et al.

## SOUTH CAROLINA

SC 8 05-2811

Tim R. Whitman, et al. v. Guidant Corp., et al.

## TENNESSEE EASTERN

~~TNE 2 05-268~~~~Janice Jones, etc. v. Guidant Corp., et al. Opposed 12/27/05~~

## TEXAS WESTERN

TXW 7 05-166

Charles H. Little, et al. v. Guidant Corp., et al.

## UTAH

UT 2 05-873

Juanita Edge, et al. v. Guidant Corp.

## WEST VIRGINIA NORTHERN

WVN 5 05-151

Gary Dusch, et al. v. Guidant Corp., et al.